IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
SECOND APPEAL NO.1540 OF 2005

M/s Navbharat Trading Co. & Ors. ...Appellants
Vs.
Shri Jayasingh Shankar Sankpal & Ors. ...Respondents

Mr C.G. Gavnekar for the Appellants.
None for the Respondents.

CORAM : A. S. OKA, J.
DATE : MARCH 06, 2006.

P.C.:

1. Heard Shri Gavnekar appearing for the Appellants/ original plaintiffs. The Courts below have recorded a finding of fact that a firm M/s Navbharat Trading Company was dissolved on 08th October, 1985 and in any case from that date, the Appellant Nos.1A and 1B ceased to be partners of M/s Navbharat Trading Company. The said findings recorded by the Courts below are on the basis of documentary evidence. No interference can be made with the said findings in this Second Appeal under section 100 of the Code of Civil Procedure, 1908.

2. If a finding of fact is that the Appellant Nos.1A and 1B were not the partners of M/s Navbharat Trading Company with effect from 08th October, 1985, the said Appellants could not have filed the present suit on behalf of the said Firm.

3. No substantial question of law arises.

4. Second Appeal is dismissed with no orders as to costs.

JUDGE